

**SUPREME COURT MINUTES
TUESDAY, JULY 10, 2012
SAN FRANCISCO, CALIFORNIA**

S181963 C056510 Third Appellate District

**PEOPLE v. BROWN III
(JAMES LEE)**

Time extended to consider modification or rehearing

The time for granting or denying rehearing in the above-entitled case is hereby extended to September 14, 2012, or the date upon which rehearing is either granted or denied, whichever occurs first.

S203296

**LEWIS (RICKY) v. S.C.
(CALIFORNIA
LEGISLATURE)**

Transferred to Court of Appeal, Second Appellate District

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

S203338

**THORNBERRY (DANIEL
LEE) v. S.C. (PEOPLE)**

Transferred to Court of Appeal, Fourth Appellate District, Division One

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division One, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

S203385

**MILLER (MICHAEL
ANTHONY) v. S.C. (PEOPLE)**

Transferred to Court of Appeal, Second Appellate District

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

S203396**CARTWRIGHT III (HENRY)
v. S.C. (PEOPLE)**

Transferred to Court of Appeal, Fifth Appellate District

The above-entitled matter is transferred to the Court of Appeal, Fifth Appellate District.

S196896**TREJO ON DISCIPLINE**

Probation revoked

The court orders that the probation of CHARLES DAVID TREJO, State Bar Number 187529, is revoked. The court further orders that CHARLES DAVID TREJO is suspended from the practice of law for a minimum of two years, and he will remain suspended until the following requirements are satisfied:

- i. He must pay restitution to Adrian Dugas and Attorney Thomas A. Collins;
- ii. He must attend and satisfactorily complete the State Bar's Ethics School as previously ordered in case number S196896 (State Bar Court case number 11-O-11527); and
- iii. He must provide proof to the State Bar Court of his rehabilitation, fitness to practice, and learning and ability in the general law. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)

CHARLES DAVID TREJO is given credit towards the two-year suspension for the period of involuntary inactive enrollment which commenced on April 16, 2012.

CHARLES DAVID TREJO must also take and pass the Multistate Professional Responsibility Examination during the period of his suspension and provide satisfactory proof of passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

CHARLES DAVID TREJO must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S200586**NOGALES ON DISCIPLINE**

Recommended discipline imposed

The court orders that FRANCISCO SALAZAR NOGALES, State Bar Number 212819, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and he is placed on probation for five years subject to the following conditions:

1. FRANCISCO SALAZAR NOGALES must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on January 12, 2012; and
2. At the expiration of the period of probation, if FRANCISCO SALAZAR NOGALES has

complied with the terms of probation, the three-year period of stayed suspension will be satisfied and that suspension will be terminated.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-fourth of the costs must be paid with his membership fees for each of the years 2014, 2015, 2016, and 2017. If FRANCISCO SALAZAR NOGALES fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S200815**RUBIN ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that ANDREW ELLIS RUBIN, State Bar Number 62587, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

ANDREW ELLIS RUBIN must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S200834**SMITH ON DISCIPLINE**

Recommended discipline imposed

The court orders that MARK STEPHEN SMITH, State Bar Number 158734, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and he is placed on probation for five years subject to the following conditions:

1. MARK STEPHEN SMITH is suspended from the practice of law for a minimum of the first two years of probation, and he will remain suspended until the following requirement is satisfied:
 - i. He must provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)
2. Mark Stephen Smith must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on January 11, 2012.
3. At the expiration of the period of probation, if Mark Stephen Smith has complied with all conditions of probation, the three-year period of stayed suspension will be satisfied and that suspension will be terminated.

MARK STEPHEN SMITH must also take and pass the Multistate Professional Responsibility Examination during the period of his suspension and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may

result in suspension. (Cal. Rules of Court, rule 9.10(b).)

MARK STEPHEN SMITH must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S200861**VENIE ON DISCIPLINE**

Recommended discipline imposed

The court orders that DAVID CHIPMAN VENIE, State Bar Number 204954, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. DAVID CHIPMAN VENIE is suspended from the practice of law for the first six months of probation;
2. DAVID CHIPMAN VENIE must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on January 9, 2012; and
3. At the expiration of the period of probation, if DAVID CHIPMAN VENIE has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

DAVID CHIPMAN VENIE must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One third of the costs must be paid with his membership fees for each of the years 2013, 2014, and 2015. If DAVID CHIPMAN VENIE fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S200875**TRONCOSO ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that CEDRIC TRONCOSO, State Bar Number 86625, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

CEDRIC TRONCOSO must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section

6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S201033**GRIFFITH ON DISCIPLINE**

Recommended discipline imposed

The court orders that RICHARD KIERNAN GRIFFITH, State Bar Number 41807, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for one year subject to the following conditions:

1. RICHARD KIERNAN GRIFFITH is suspended from the practice of law for the first thirty days of probation;
2. RICHARD KIERNAN GRIFFITH must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on January 24, 2012; and
3. At the expiration of the period of probation, if RICHARD KIERNAN GRIFFITH has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

RICHARD KIERNAN GRIFFITH must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S201041**HOFFMAN ON DISCIPLINE**

Recommended discipline imposed

The court orders that JEFFREY STEVEN HOFFMAN, State Bar Number 71240, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for four years subject to the following conditions:

1. JEFFREY STEVEN HOFFMAN must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on January 18, 2012; and
2. At the expiration of the period of probation, if JEFFREY STEVEN HOFFMAN has complied with the terms of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

JEFFREY STEVEN HOFFMAN must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7

and as a money judgment. One-third of the costs must be paid with his membership fees for each of the years 2013, 2014, and 2015. If JEFFREY STEVEN HOFFMAN fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S201052**McCOY ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that LEE ALLEN McCOY, State Bar Number 153631, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

LEE ALLEN McCOY must make restitution as recommended by the Hearing Department of the State Bar Court in its Decision filed on January 6, 2012. Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

LEE ALLEN McCOY must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S201062**WHITE ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that STANLEY ZEIGLER WHITE, State Bar Number 118616, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

STANLEY ZEIGLER WHITE must make restitution as recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on January 20, 2012. Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

STANLEY ZEIGLER WHITE must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S201072**SPEARS ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that LARRY SCOTT SPEARS, State Bar Number 195993, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

LARRY SCOTT SPEARS must also comply with California Rules of Court, rule 9.20, and

perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S201076**SKINNER ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that DAVID VERNON SKINNER, State Bar Number 123426, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

DAVID VERNON SKINNER must make restitution as recommended by the Hearing Department of the State Bar Court in its Decision filed on January 5, 2012. Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

DAVID VERNON SKINNER must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.